

Office of the
CLARK COUNTY LAND USE HEARING EXAMINER

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Form DS1333

NOTICE TO PARTIES OF RECORD

Project Name: VANCOUVER WEST LDS CHURCH

**Case Numbers: CUP2009-00007; PSR2009-00031; SEP2009-00073;
EVR2009-00051**

The attached decision of the Land Use Hearing Examiner is final unless appealed. An appeal of any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), may be appealed to the Superior Court or reconsidered by the Hearing Examiner only by a party of record pursuant to Ordinance 10-19, adopted 10/27/2009 by the Board of County Commissioners. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

Mailed on: **January 20, 2010**

Vancouver West LDS Church POR
Planner: Alan Boguslawski

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Vancouver West LDS Church POR
Planner: Alan Boguslawski
HEARING DATE : January 14, 2010

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**BEFORE THE LAND USE HEARING EXAMINER
FOR CLARK COUNTY, WASHINGTON**

Regarding an application by the Church of Jesus Christ of) **FINAL ORDER**
Latter-Day Saints for conditional use permit approval for) **CUP2009-00007¹**
expansion of the parking lot at an existing church at 9728) **(Vancouver West**
NE 50th Avenue in unincorporated Clark County, Washington) **LDS Church)**

A. SUMMARY

1. The applicant, Adrian Dyer on behalf of the Church of Jesus Christ of Latter-Day Saints, requests conditional use permit (CUP2009-00007) and site plan (PSR2009-00031) approval for the expansion of the existing parking lot serving the Vancouver West LDS Church at 9728 NE 50th Avenue; also known as tax lots 156202-000, 156276-000, 156277-000, 156289-000 and 156290-000, Section 6, Township 2 North, Range 2 East of the Willamette Meridian (the "site"). The proposed expansion will add 74-parking spaces on the 6.37-acre site. The applicant also proposed to close the northernmost driveway on NE 50th Avenue and construct a new driveway near the center of the site's NE 99th Street frontage. The site and abutting properties are zoned R1-6 (Single Family Residential, 6,000 square foot minimum lot size).

2. The County issued a Determination of Nonsignificance ("DNS") for the proposal pursuant to the State Environmental Policy Act ("SEPA"). Hearing Examiner Joe Turner (the "examiner") conducted a public hearing to receive testimony and evidence regarding the application. County staff recommended approval of the application subject to conditions of approval. See the Development and Environmental Review, Staff Report and Recommendation to the Hearing Examiner dated December 30, 2009 (the "Staff Report"). The applicant accepted those findings and conditions, as amended at the hearing, with one exception. No one else testified orally or in writing, other than public agency staff.

3. Based on the findings provided or incorporated herein, the examiner approves the conditional use permit and preliminary site plan subject to conditions of approval at the end of this final order.

B. HEARING AND RECORD

1. The examiner received testimony at a duly noticed public hearing about this application on January 14, 2010. That testimony and evidence, including a videotape of the public hearing and the case file maintained by the Department of Community Development ("DCD"), are included herein as exhibits. A list of the exhibits is attached to and incorporated into this final order. The exhibits are filed at DCD. The following is a summary by the examiner of selected testimony and evidence offered at the hearing.

2. County planner Alan Boguslawski summarized the Staff Report and showed photographs of the site, Exhibit 18. He requested the examiner delete conditions of

¹ This decision also addresses PSR2009-00031, SEP2009-00073 and EVR2009-00051.

approval B-1 and B-5 in the Staff Report. Those conditions do not relate to the proposed development and were included in error.

3. Planner Mark Cottle and architect Mac McSwain testified on behalf of the applicant. They accepted the findings and conditions of approval in the Staff Report, as amended, with one exception. They noted that there are no existing curbs and sidewalks along the site's 50th Avenue frontage. Therefore they requested the examiner modify finding 10 and condition of approval A-4-a to require that the applicant replace the existing driveway with improvements consistent with the remainder of the existing frontage.

4. County development engineer Doug Boheman agreed with the proposed changes to finding 10 and condition of approval A-4-a.

7. The examiner closed the record at the end of the public hearing and announced his intention to approve the application subject to the conditions of approval in the Staff Report, as modified at the hearing.

C. FINDINGS:

Only issues and approval criteria raised in the course of the application, during the hearing or before the close of the record are discussed in this section. All approval criteria not raised by staff, the applicant or a party to the proceeding have been waived as contested issues, and no argument with regard to these issues can be raised in any subsequent appeal. The Examiner finds those criteria to be met, even though they are not specifically addressed in these findings. The following issues relate to the mandatory applicable approval criteria for this proposal and were addressed by County staff in their reports, by agency comments, by the applicant and others. The Examiner adopts the following findings with regard to each:

LAND USE:

Finding 1 Conditional Use Permit

Under the Single-family Residential (R1-6) zoning of the site, the church operates under a conditional use permit (CUP79-042). Pursuant to CCC 40.520.030(A), because of their unusual characteristics or the special characteristics of the area in which they are to be located, conditional uses require special consideration so that they may be properly located with respect to the objectives of the Unified Development Code and their effect on surrounding properties.

The proposed expansion of the church parking from 217 spaces to 290 spaces constitutes an approximately 34% expansion. Consequently, a new conditional use permit review is required, in accordance with CCC 40.520.030(G).

Finding 2 Parking Standards

Parking standards are provided in CCC 40.340.010. Based upon the preliminary site plan and detail plan, the proposed parking layout can meet the required parking design standards, with the following exceptions:

- In accordance with CCC 40.340.010(A)(4)(d), parking spaces shall not be located within a required front setback. A 20-foot front setback applies along the frontage of NE St Johns Road. The parking spaces in the southeast corner of the new parking lot are shown to be encroaching within the required setback. (see Condition A-1.a.)
- Wheel stops or curbs located three feet back from the front of the parking stall are required for parking spaces abutting sidewalks, in accordance with CCC 40.340.010(A)(10). The site plan and detail plan for the parking spaces do not provide the required wheel stops. (see Condition A-1.b.)

The electrical site plan identifies seven new exterior lights for illuminating the new parking area. Based upon the information provided, the lighting will not result in glare off site, in compliance with CCC 40.340.010(A)(7). (see Condition H-1)

Finding 3 Landscaping

Landscaping and screening standards for parking areas are provided in CCC 40.320.010(E).

A minimum five foot landscape strip landscaped to an L2 standard, or a 10 foot strip landscaped to an L1 standard is required between a parking area and an abutting right-of-way. The preliminary landscape plan provides plantings between the new parking lot and St Johns Road that meet or exceed the minimum standard.

Landscape islands are required within the new parking lot at a ratio of one island per seven parking spaces. Based upon 91 parking spaces, a minimum 13 landscape islands are required. The preliminary landscape plan provides 17 islands.

In accordance with CCC 40.320.010(G)(3), required trees for parking areas shall be a minimum caliper of two inches and a minimum height of 10 feet at the time of planting. The preliminary landscape plan indicates a 1 ½" planting size for the proposed Eastern Redbud and Japanese Stewartia. Therefore, the planting size for these trees needs to be amended. (see Condition A-2.a.)

An irrigation plan is required in accordance with CCC 40.320.010(G)(7). (see Condition A-2.b.)

Required landscaping shall be installed prior to use of the new parking lot. (see Condition F-1)

Finding 4 Solid Waste Storage Areas

The site plan identifies a new storage area enclosure for solid waste. CCC 40.360 provides criteria for size, location, and design of areas for storing solid waste and recyclable materials. A 6-foot high, gated, fully sight-obscuring (L2) enclosure is required. The plan detail (Sheet C0.3) indicates a slatted chain link fence enclosure and does not indicate a gated access. Pursuant to CCC 40.320.010(B)(7), a slatted chain link fence does not meet the L2 standard. (see Condition A-1.c.)

Conclusion (Land Use):

Based on the above findings, the examiner concludes that the proposed preliminary plan, subject to the conditions of approval itemized below under Conditions of Approval does or can meet the Land Use Requirements of Clark County Code.

ARCHAEOLOGY:

Finding 5 Archaeological Predetermination

The area of the proposed parking expansion is designated on the county archaeological predictive model maps as having a Moderate (40-60%) probability for containing artifacts. The proposal has high ground disturbance impacts. Therefore, in accordance with CCC Table 40.570.080-1, an archaeological predetermination was required.

The applicant has submitted an archaeological pre-determination to the State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application.

The DAHP concurs (Exhibit #6 at Tab I) with the recommendation of the pre-determination that no additional studies are necessary; however, a note on the final construction plans will require that if resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted. (see Condition A-3.a.)

Conclusion (Archaeology):

The examiner finds that the proposed preliminary plan, subject to the condition referenced above, meets the archaeology requirements of the Clark County Code.

TRANSPORTATION:

Finding 6 Pedestrian/Bicycle Circulation

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act are required in accordance with the provisions of Section CCC 40.350.010. The project will not add any additional p.m. peak hour trips. CCC 40.350.030(B)(5)(b)(2), exempts the developments that do not result in an increase of total site trip generations during the p.m. peak hour of more than ten percent (10%). Based upon this information, the examiner finds that the pedestrian/bicycle requirements are not applicable.

Finding 7 Circulation Plan

In compliance with CCC 40.350.030(B)(2), the circulation plan shall provide adequate cross-circulation for serving the proposed development and allow future developments to meet the cross circulation standards. The proposed site is surrounded by NE St. Johns Road on the east, NE 50th Avenue on the west, and NE LaLonde Drive to the north. Therefore, the project meets the circulation requirements.

Finding 8 Access Management

The Vancouver West LDS Church is currently served by three accesses. Two of the accesses are onto NE 50th Avenue, classified as a 2-lane minor arterial with center lane and bike lanes (M-2cb), and one onto NE St. Johns Road, a principal arterial with center lane and bike lanes (Pr-4cb). The applicant has applied for a Road Modification (Exhibit #5 Appendix O) for approval of a right-in/right-out access onto NE LaLonde Drive, a 4-lane minor arterial with center lane and bike lanes (M-4cb). In exchange for the access onto NE LaLonde Road the applicant will close the most northerly access on NE 50th Avenue. (Refer to Finding 10 below)

Finding 9 Sight Distance

The applicant has provided a sight distance certification stamped and signed by Brent Ahrend, P.E. stating that the sight distance for the proposed access onto NE LaLonde Drive exceeds Clark County's required sight distance for a road with a speed limit of 35 mph. Being that this access will be a right-turn in and right-turn out-only, the sight distance to the west of the proposed access was evaluated.

Finding 10 Road Modifications

LaLonde Drive is classified as a 4-lane minor arterial road. The applicant has applied for a Road Modification to allow an access onto this road fronting the site replacing an access onto NE 50th Avenue, which is a 2-lane minor arterial. CCC 40.350.030(B)(4)(d)(1) states that no driveways will be permitted to access onto arterials unless no other access to the site exists or can be provided.

Approval Criteria

If the development cannot comply with the Transportation Standards, modifications may be granted in accordance with the procedures and conditions set out in CCC 40.550. The request shall meet one (or more) of the following four specific criteria:

- a. *Topography, right-of-way, existing construction or physical conditions, or other geographic conditions impose an unusual hardship on the applicant, and an equivalent alternative, which can accomplish the same design purpose, is available.*
- b. *A minor change to a specification or standard is required to address a specific design or construction problem, which, if not enacted, will result in an unusual hardship.*
- c. *An alternative design is proposed which will provide a plan equal to or superior to these standards.*
- d. *Application of the standards of the Transportation Standards to the development would be grossly disproportional to the impacts created.*

The narrative submitted with the road modification application (Exhibit #6, Appendix O) states that, at the time NE 99th Street/LaLonde Drive were realigned along the north end of the site, it resulted in substandard spacing for the northerly site access onto NE 50th Avenue, and the access has since been limited to right-out turns only. Even with the limitation, this creates a safety concern as vehicles enter the roadway at the intersection. Although LaLonde, a four-lane urban arterial, is a higher classification than NE 50th Avenue, allowing an access will improve overall safety and circulation resulting in a plan superior to the standards. (Refer to Exhibit #6, Appendix O for the full justification for this request.)

The applicant asserts that this road modification request meets the specific criteria 'a' and 'b' as stated above.

The examiner agrees with the applicant that, with consideration of the closure of the north access on NE 50th Avenue and potential limitation of the south access on NE 50th Avenue, the proposed new access onto LaLonde Drive provides an alternate entrance for vehicles arriving from the north on NE 50th Avenue and from the west on NE 99th Street; therefore, the examiner agrees that this request meets the special criteria 'a' and 'b' as stated above.

Therefore, the examiner approves the applicant's request, subject to a condition requiring the northerly driveway on NE 50th Avenue to be removed and replaced with improvements consistent with existing frontage improvements. (see Condition A-4.a.)

Conclusion (Transportation):

The examiner concludes that the proposed preliminary plan, subject to conditions referenced above, meets the transportation requirements of the Clark County Code.

STORMWATER:

Finding 11 Applicability

In accordance with the Stormwater and Erosion Control Ordinance (CCC 40.385), new development and redevelopment within the urban area that create or add five thousand (5,000) square feet or more of new impervious surface shall comply with Minimum Requirements No. 1 through No. 10 for the new impervious surfaces.

This project will create more than 5,000 square feet of new impervious surface; therefore, this development shall comply with the Stormwater and Erosion Control Ordinance (CCC 40.385).

The erosion control ordinance is intended to minimize the potential for erosion, and a plan is required for all projects meeting the applicability criteria listed in CCC 40.385.030. This project is subject to the erosion control ordinance.

Finding 12 Stormwater Proposal

A proposed above ground water quality and infiltration/detention basin located along the east edge of the existing southeast driveway entrance will detain and partially infiltrate the post-developed peak flow rates to pre-developed peak flow rates predicted by a calibrated continuous simulation hydrologic model based on the EPA's HSPF (Hydrologic Simulation Program-Fortran) program or an approved equivalent model.

The proposed stormwater quality control facility will treat the volume of runoff predicted from a 24-hour storm with a 6-month return frequency (a.k.a. 6-month, 24-hour storm). The revised statement of feasibility dated December 18, 2009 states that the water quality requirement will be met by providing a dead storage volume and infiltrating 100% of the water quality volume.

The project engineer states that the flow control requirements will be met using the WWHM3 software to show compliance. The proposed stormwater quantity control facility will release runoff rates from the mitigated (developed) land use at the pre-developed land use flow rates calculated by an approved continuous runoff model. (see Condition A-5.a)

Infiltration will be used as much as practical. The April 28, 2009 geotechnical report prepared by GeoPacific Engineering, Inc. (Exhibit #6, Tab G) indicates that the infiltration rate in TP-1 measured at the depth of 6 feet was 2 inches per hour. Groundwater was encountered at a depth of 11.5 feet in TP-1. An infiltration rate of 1 in/hr will be used to design the proposed retention pond. (see Condition C-1)

The volume of water not able to be infiltrated will be conveyed to one of the public storm drain conveyance systems located in NE 50th Avenue. Both of the public systems located in NE 50th Avenue appear to outfall at separate locations into the LaLonde Creek basin approximately 200 feet north west of the NE 50th Avenue and LaLonde Drive intersection.

Per CCC 40.385.020(C)(3)(f), the base of all infiltration basins or trench systems shall be greater than five (5) feet above the seasonal high-water mark, bedrock (or hardpan) or other low permeability layer. A separation down to three (3) feet may be considered if the groundwater mounding analysis, volumetric receptor capacity, and the design of the overflow and/or bypass structures are judged by the county to be adequate to prevent overtopping and meet the site suitability criteria specified in the SMMWW. (see Condition A-5.b.)

Activities required to prepare a final stormwater control plan shall conduct an analysis of off-site water quality impacts resulting from the development activities and shall mitigate their impacts. This project will be required to perform an offsite analysis in conformance with Chapter 9 of Clark County Stormwater Manual. (see Condition A-5.c.)

Per CCC 40.385.020(C)(3)(c), infiltration receptor characterization shall include the installation of groundwater monitoring wells unless the highest groundwater level is demonstrated to be at least fifteen (15) feet below the proposed infiltration facility.

These wells shall be installed and monitored during at least one (1) wet season within three (3) years prior to the date of final approval. (see Condition A-5.d.)

The onsite stormwater facility will be privately owned and maintained. (see Condition A-9.a.)

Finding 13 Site Conditions and Stormwater Issues

The property is 6.37 acres in area with slopes of 0-5% over 86% of the parcel, 5-10% over 9% of the parcel, and 10-15% over 4% of the parcel. The site is already developed with a one story brick façade church building and a 217-space parking lot that surrounds the north, south and east sides of the building. The proposed site development will consist of adding another 73 parking stall parking lot addition. The preliminary stormwater report indicates that the proposed total area of new impervious surface created by the parking lot expansion will be approximately 1.15 acres.

The Natural Resources Conservation Service (NRCS, formerly SCS) mapping shows the site to be underlain by Hillsboro soils (HoB and HIA), classified by AASHTO as A-4 soils. These soils are designated as hydrologic group "B".

Conclusion (Stormwater):

The examiner concludes that the proposed preliminary stormwater plan, subject to the conditions of approval referenced above, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

FIRE PROTECTION: ²

Finding 14 Fire Hydrants

Fire hydrants are required for this application. The indicated number and spacing of fire hydrants is adequate.

Finding 15 Fire Apparatus Access

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access.

Fire apparatus turnarounds are not required for this application. The applicant proposes to close the northerly driveway access on NE 50th Avenue to regular traffic by installing bollards that will allow emergency-only access. The applicant needs to provide Knox locks or a Knox key box for fire access through the new bollards. (see Condition A-7.a.)

Conclusion (Fire Protection):

² This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323, or e-mail at tom.scott@clark.wa.gov. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

The examiner finds that the proposed preliminary plan, subject to the conditions listed under Conditions of Approval below, meets or can meet the fire protection requirements of the Clark County Code.

WATER & SEWER SERVICE:

Finding 16 Health Department

Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or Prior to Occupancy). The Health Department Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer. The Health Department Final Approval Letter will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by the Health Department (if applicable). (see Condition A-8)

Conclusion (Water & Sewer Service):

The examiner concludes that the proposed preliminary plan, subject to conditions identified above, meets or can meet the water and sewer service requirements of the Clark County Code.

IMPACT FEES:

Finding 17 Impact Fees

As indicated by the applicant in the application narrative, although the church is expanding its parking facilities, the church use on the site is not expanding in size or intensity. Therefore, the proposed parking expansion is not expected to result in increased traffic impacts in the area.

D. CONCLUSION

Based on the findings and discussion above, the examiner concludes that the conditional use permit and preliminary site plan applications do or can comply with the applicable standards of the Clark County Code and will not be significantly detrimental to people or property in the vicinity or to the general welfare of the County, provided the applicant complies with conditions of approval necessary to ensure the use does in fact comply with the applicable law and with measures to prevent or mitigate adverse impacts of the use.

E. DECISION

Based on the foregoing findings and except as conditioned below, the examiner hereby approves CUP2009-00007, PSR2009-00031, SEP2009-00073 and EVR2009-

00051(Vancouver West LDS Church) in general conformance with the applicant's proposal and the related plans, reports and proposal (Exhibits 5, 6 and 14). The approval is granted subject to the requirements that the applicant, owner or subsequent developer (the "developer") shall comply with all applicable code provisions, laws and standards and the following conditions. These conditions shall be interpreted and implemented consistently with the foregoing findings.

Conditions of Approval

A Final Construction/Site Plan Review **Review & Approval Authority: Development Engineering**

Prior to construction, a Final Construction/Site Plan shall be submitted for review and approved, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Site Plan – The applicant shall submit and obtain county approval of a final site plan in conformance to CCC 40.520.040 and the following conditions of approval:

- a. The site plan shall be amended to remove the encroachment of any parking spaces within 20 feet from the NE St Johns Road right-of-way. (see Finding 2)
- b. The site plan shall be amended to provide wheel stops for parking spaces within the new parking area, which abut sidewalks. (see Finding 2)
- c. The final site plan details shall provide a gated enclosure meeting the F2 standard for the proposed solid waste storage area. (see Finding 4)

A-2 Final Landscape Plan - The applicant shall submit and obtain county approval of final landscape plan consistent with the approved preliminary landscape plan and the conditions listed below:

- a. The landscape plan shall be amended to provide all proposed trees in required landscape islands at a minimum caliper of two inches and a minimum height of 10 feet at the time of planting, in accordance with CCC 40.320.010(G)(3). (see Finding 3)
- b. The final landscape plan shall include an irrigation plan meeting the standards and criteria in CCC 40.320.010(G)(7). (see Finding 3)

A-3 Final Construction Plan - The applicant shall submit and obtain County approval of a final construction plan with the following:

- a. Archaeology - A note shall be placed on the face of the final construction plans as follows:

"If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

(see Finding 5)

A-4 Final Transportation Plan/On-Site - The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. The Applicant shall permanently close off the northerly access onto NE 50th Avenue. The driveway approach shall be removed and replaced with improvements consistent with existing frontage improvements. (see Finding 10)

A-5 Final Stormwater Plan - The applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 40.380 and the following conditions of approval: (see Finding 12)

- a.T he applicant shall provide a final stormwater report and plan in compliance with Section 3.3 of Clark County Stormwater Manual. In addition, the applicant shall provide the following files, or equivalent, for continuous simulation model files for staff's review:
 - 1. WWHM3 binary project file (WHM file extension)
 - 2. WWHM3 ASCII project file (WH2 file extension)
 - 3. WWHM3 WDM file (WDM file extension)
 - 4. WWHM3 report text (Word file or Rich Text file)
- b. Per CCC 40.385.020(C)(3)(f), the base of all infiltration basins or trench systems shall be greater than five (5) feet above the seasonal high-water mark, bedrock (or hardpan) or other low permeability layer. A separation down to three (3) feet may be considered if the groundwater mounding analysis, volumetric receptor capacity, and the design of the overflow and/or bypass structures are judged by the county to be adequate to prevent overtopping and meet the site suitability criteria specified in the SMMWW.
- c. The proposed project will be required to perform an offsite analysis in conformance with Chapter 9 of Clark County Stormwater Manual.
- d. Per CCC 40.385.020(C)(3)(c), infiltration receptor characterization shall include the installation of groundwater monitoring wells unless the highest groundwater level is demonstrated to be at least fifteen (15) feet below the proposed infiltration facility. These wells shall be installed and monitored during at least one (1) wet season within three (3) years prior to the date of final approval.

- A-6 Erosion Control Plan** - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.
- A-7 Fire Marshal Requirements:**
- a. Provide Knox locks or a Knox key box for fire access through the new bollards. (see Finding 15)
- A-8 Health Department Review** - Submittal of a "Health Department Project Evaluation Letter" is required as part of the Final Construction Plan Review or early grading application. If the Evaluation Letter specifies that certain actions are required, the Evaluation Letter will specify the timing of when those activities must be completed (e.g., prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy), and approved by the Health Department. (see Finding 16)
- A-9 Other Documents Required** – The following documents shall be submitted with the Final Construction/Site Plan:
- a. Developer's Covenant: - A "Developer Covenant to Clark County" shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. An access easement to the private facilities for the purpose of inspection shall be granted to the county. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.
- A-10 Excavation and Grading** - Excavation / grading shall be performed in compliance with CCC Chapter 14.07.

B	Prior to Construction of Development Review & Approval Authority: Development Inspection
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Prior to construction, the following conditions shall be met:

B-1 None

- B-2 Pre-Construction Conference** - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.
- B-3 Erosion Control** - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.
- B-4 Erosion Control** - Erosion control facilities shall not be removed without County approval.
- B-5 None**

C	Provisional Acceptance of Development Review & Approval Authority: Development Inspection
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Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

- C-1 Stormwater :**
Before acceptance of any infiltration facility by the county, the completed facility must be tested and monitored to demonstrate that the facility performs as designed. If the tested coefficient of permeability determined at the time of construction is at least ninety-five percent (95%) of the uncorrected coefficient of permeability used to determine the design rate, construction shall be allowed to proceed. If the tested rate does not meet this requirement, the applicant shall submit an additional testing plan to Clark County that follows the requirements in Chapter 3 of the Stormwater Manual. This plan shall address steps to correct the problem, including additional testing and/or resizing of the facility, to ensure that the system complies with the provisions of Chapter 3. (see Finding 12)

D	Final Plat Review & Recording Review & Approval Authority: Development Engineering
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Prior to final plat approval and recording, the following conditions shall be met:

- D-1 Not Applicable**

E	Building Permits Review & Approval Authority: Customer Service
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Prior to issuance of a building permit, the following conditions shall be met:

- E-1 Not Applicable**

F	Occupancy Permits Review & Approval Authority: Building
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Prior to occupancy, the following conditions shall be met:

- F-1 Landscaping** – Prior to use of the new parking lot, the applicant shall submit a copy of the approved final landscape plan with a letter signed and stamped by a landscape architect licensed in the State of Washington certifying that the landscape and irrigation have been installed in accordance with the attached approved plans and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site. (see Finding 3)

G	Development Review Timelines & Advisory Information Review & Approval Authority: None - Advisory to Applicant
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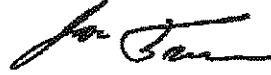
- G-1 Expiration of Land Use Approvals** - Within 5 years of preliminary plan approval, construction of the new facilities shall be completed and the use commenced.
- G-2 Department of Ecology Permit for Construction Stormwater** - A permit from the Department of Ecology (DOE) is required If:
- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**
 - There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion [less than one acre] of the larger project planned over time. **The applicant shall Contact the DOE for further information.**

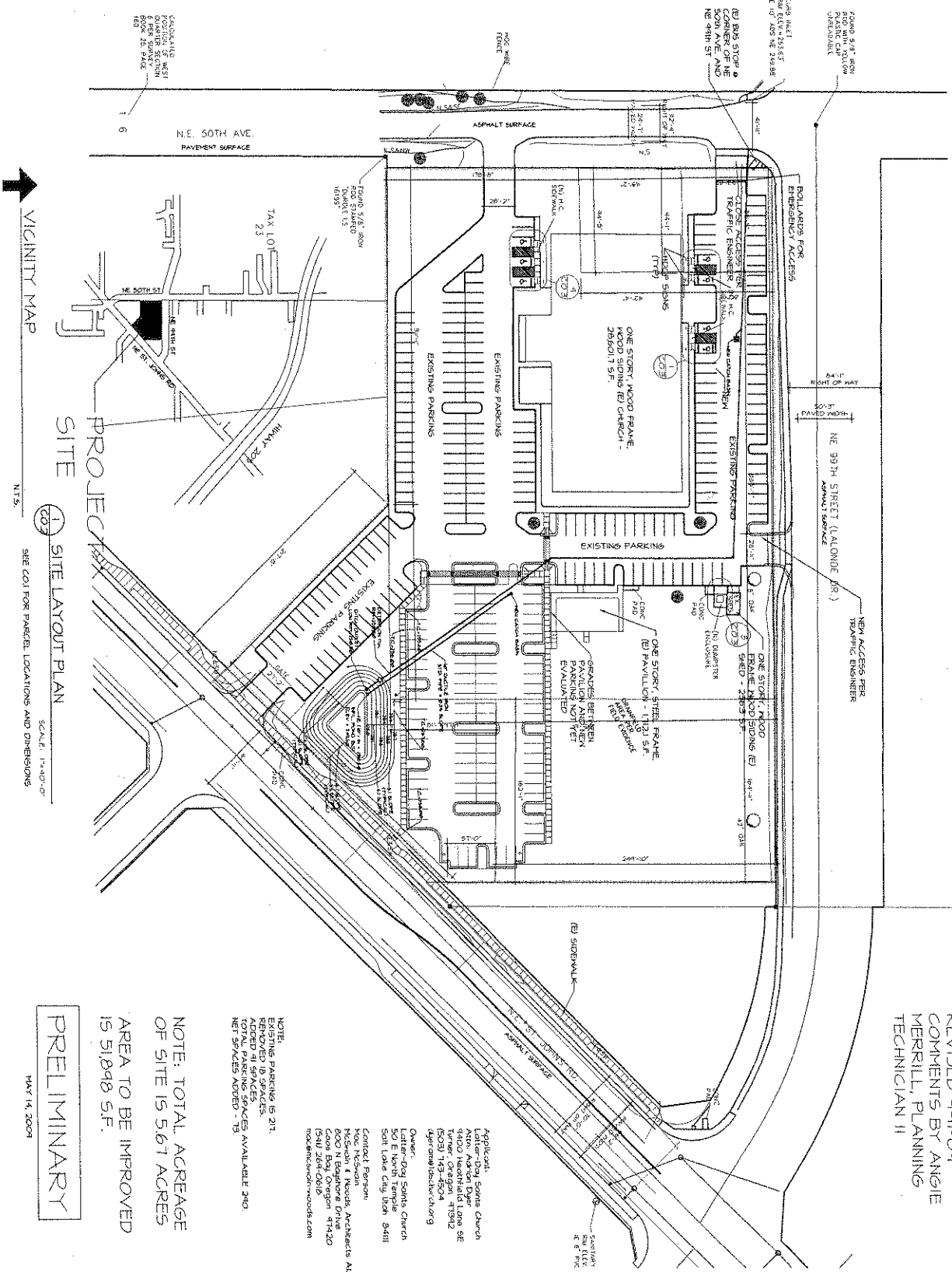
H	Post Development Requirements Review & Approval Authority: As specified below
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- H-1 Lighting** – Exterior lights shall be shielded and directed so as to avoid off site glare, in accordance with CCC 40.340.010(A)(7) and RCW 47.36.180. (see Finding 2)

DATED this 20th day of January 2010.

A handwritten signature in black ink, appearing to read "Joe Turner", is positioned above a horizontal line.

Joe Turner, AICP
Clark County Hearing Examiner



VICINITY MAP

PROJECT SITE LAYOUT PLAN

SCALE: 1"=40'-0"

PRELIMINARY

MAY 14, 2004

NOTE: TOTAL ACREAGE OF SITE IS 5.67 ACRES
AREA TO BE IMPROVED IS 51,848 S.F.

NOTE: EXISTING PARKING IS 217 REMOVED 18 SPACES. TOTAL PARKING SPACES AVAILABLE 200 NET SPACES ADDED - 75

APPLICANT:
Latter-day Saints Church
Attn: Aaron Dyer
3400 Heathfield Lane SE
PO Box 11902
50031 143-4504
apd@latterday.org

OWNER:
Latter-day Saints Church
50 E North Temple
Salt Lake City Utah 84143

CONTACT PERSON:
Katie McQuinn
McQuinn & McQuinn Architects AIA
6000 1st Avenue SW
PO Box 470000
55401 264-0600
mcmquinn@mcquinn.com

REVISED 4-11-04 -
COMMENTS BY ANGLE
MERRILL, PLANNING
TECHNICIAN II

SHEET C0.2	SITE LAYOUT PLAN	Project for: THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS	Vancouver West Stake Vancouver WA Stake PARKING LOT EXPANSION CONDITIONAL USE/SITE PLAN 9728 NE 50th Avenue Vancouver, WA	WYSTAIN & WOODS ARCHITECTS and PLANNERS 800 North Birchmore Drive Phone (425) 881-0088 Fax (425) 881-0085 Copyright © 2006 WYSTAIN & WOODS, AIA. (Not to be reprinted without permission)
		Prepared by: DATE: 11/10/2006 BY: [Signature] CHECKED BY: [Signature] SCALE: 1"=40'-0"	Project Number: 0640	Project Name: VAWA

HEARING EXAMINER EXHIBITS

APPLICATION: VANCOUVER WEST LDS CHURCH
CASE NUMBERS: CUP2009-00007 / PSR2009-00031
Hearing Date: 1/14/09



EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
1		CC Development Services	Aerial Map
2		CC Development Services	Vicinity Map
3		CC Development Services	Zoning Map
4		CC Development Services	Comprehensive Plan Map
5	8/12/09	Applicant: LDS Church – Adrian Dyer	Full Size Plans
6	8/12/09	Applicant: LDS Church – Adrian Dyer	Application Packet: Project Overview, Site Description, Project Components, Response to Code, Consultation, Application Form, Reduced Plans, Pre-App Rpt, GIS Packet, TIR, Legal Lot Determination, Soils Rpt, Traffic Study, Arch Pre-Det, Site Photos, Lighting Specs, Storm Wtr Design, SEPA Checklist, Dev Rev NOT FC Ltr (9/2/09), Road Mod Application,
7	9/30/09	CC Development Service	Development Review NOT Fully Complete Letter
8	11/6/09	CC Development Services	Development Review Fully Complete Letter
9	11/20/09	CC Development Services	Notice of Type III Dev Review, Optional SEPA & Public Hearing
10	11/20/09	CC Development Services	Affidavit of Mailing
11	12/3/09	Yakama Tribe	Agency Comments
12	12/9/09	CC Development Services	Early Issues Comments
13	12/16/09	CC Development Services	Notice of Public Hearing
14	12/18/09	WDY Engineers	Stormwater Feasibility Statement
15	12/18/09	CC Public Works – Development Engineering	Road Modification Report
16	12/30/09	CC Development Services	Affidavit of Posting Public Notice

EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
17	12/30/09	CC Development Services – Alan Boguslawski, the Project Planner	Type III Development & Environmental Review, Staff Report & Recommendation
18	1/14/10	CC Development Services	Power Point Pictures

Copies of these exhibits can be viewed at:

Department of Community Development / Planning Division
1300 Franklin Street
Vancouver, WA 98666-9810